

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 10, 1954  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

## Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Absent: None

Present also: W. E. Seaholm, City Manager; Doren R. Eskew, Assistant City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. C. A. GREENWALDT - Tarrytown Methodist Church.

Councilman Long moved that the Minutes of June 3rd be approved as corrected to include the remarks of Councilman Long and Councilman Thompson. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long moved that the hearing on the zoning application of JACK KEY, 1501-05 Scenic Drive, from "A" to "C", be postponed until June 24th, at the request of MR. HERMAN JONES, through MR. CARL HARDIN. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

MR. WM. YELDERMAN displayed a plat as filed with the County Clerk on February 16, 1925 of Bergman Valley View Addition, which was a subdivision without any formal dedication of any type except the recording of the plat. He explained the sale of property by deed wherein the street portion had been conveyed. He explained the transactions down to the one where MR. W. W. BORING obtained Lots 2, 3, & 4, a strip 140 x 50; and 40' at the rear end of Block 9. There is erected on the property at the rear a building structure; another residential structure erected in 1947 occupied by tenants of Mr. Boring. In 1935 Mr. Boring

erected a 16 x 20' house (now removed); was given a building permit for it; and was informed by the Tax Department that no one claimed the property and if he paid the taxes on it he could have it. The barn-like structure built by Mr. Saxon and added to by Mr. Boring is now a washateria. He moved the house and made a driveway to the washateria and at the same time built the residence in 1947. Taxes have been paid by Mr. Boring on all the property on the east of the dividing line. Since 1947 he has not paid taxes because of his inability to pay. The Tax Department has sent a bill for \$547.00 taxes due on this portion of what has been designated Bogle Avenue. The controversy as to title was started when the City constructed a sewer line in Bogle Avenue; and when they came to Mr. Bogle's property; and Mr. Bogle made an agreement with the City that they could go across there if they would take the dirt and fill up a hole in Lots 3 and 4. The sewer was placed there; filled in and gravel placed on top of it. When recent rains came, the ground sunk and his home was damaged. He has made claim for damage from the City and the contractor. The question is raised to his title to the 140' to which he has deeds. The west portion of what has been designated Bogle Avenue he has occupancy and that is all. Councilman Long asked if the road he opened up was used by the general public. Mr. Yelderman stated it was not; that prior to 1947 there was a fence across it. Councilman Pearson inquired if the request which he wrote the Council about some weeks ago had been settled. Mr. Yelderman stated it had not. Councilman Long stated he was asking the Council to vacate this street, and asked if he were going to continue to sue? Mr. Yelderman stated the house had been damaged; that they owed \$547.00 in taxes on the property which they had no deeds, but which they had continuously paid taxes on since 1947. Every improvement was built under permit from the City. The house had been damaged, and the excavation had not been filled in. The City did not fill the hole up from the excavation, but are at present filling it with street sweepings. Councilman White asked whom the contractor was. It was replied that ENIX CONSTRUCTION COMPANY. Councilman Pearson did not think the Council could be responsible for anything the contractor did, and the suit should be against the contractor. Councilman Long stated Mr. Levander admitted in exchange for an easement that the City would fill in with the materials left over, but apparently they did not put it there. MR. LEVANDER stated that the contractor was told that any surplus dirt he had would be put in the hole where it was convenient for him to do so, and that there was no agreement that the hole would be filled up. Councilman White asked how much dirt would it take. Mr. Boring stated it would take 1300 loads and they put in 20 or 30. Councilman Thompson stated if a city representative implied in his negotiations that this hole would be filled; and if the disposition of the materials was up to the discretion of the contractor, then it would seem it would be the responsibility of the city when they made the contract to direct as a part of the contract that the surplus dirt be moved to this particular location. MR. LEVANDER stated no promise had been made that the contractor would be required to haul dirt to that hole, because they had no control over the contractor to compel him to haul the dirt to that hole. The Assistant City Attorney asked MR. BORING if he had not been advised by MR. JONES that the City was claiming this as a public street. Mr. Boring stated he had not. Councilman Thompson asked if the contract were let before the easement was procured? MR. LEVANDER stated he did not know what Mr. Boring was talking about regarding an easement, as the City had always claimed that street and never acknowledged that Mr. Boring had owned the street. The City Manager stated if it were a dedicated street as indicated it is, and the city has taken no action as to vacating it, it cannot be taken by occupancy; that Mr. Boring may have inadvertently built there; and although he had deeds, he may not have bought a good piece of property. The Acting City Attorney, MR. ESKEW, stated there was a legal question as to ownership of title to the land; and there was a question of street vacation. The

City's contention was this was a public street; as a public street, the Council, if it sees fit, could vacate it, but it was his recommendation that no action as far as the vacation was concerned be taken at this time. Councilman White asked if the city ever accepted this street. The Mayor suggested that the City Manager and the Legal Department look into the matter and see what could be worked out. Councilman Thompson suggested if it would not be wise for them to go to Court and get the legal questions settled as to title; then as far as the damage was concerned, the property owners could sue the contractor and city. Councilman Long asked what Mr. Yelderman wanted to avoid a law suit. He replied (1) that the Council vacate Bogle Avenue between Lynn and Chicon; (2) to pay \$1,500 for damage to the house, and (3) that they would forget any claim for damages for not filling up the hole and that they would be able to pay \$547.00 they owed, in back taxes. Councilman White did not think the Council could settle this matter and he wanted to look at the house. He thought on this dedicated street, not accepted, if the City had taken taxes on that property, there was a question in his mind that if it were city property, they had no business taking taxes for it. The Acting City Attorney stated he would like an opportunity to offer advice, but was not in a position at this moment to do so. Councilman Long suggested that the Council take it under study and ask the attorneys to make an investigation as to whether or not the street was ever accepted--the dedication of it--or whether or not it was ever vacated, and then the Council could look at the situation on the ground. Mr. Eskew asked that they have until July 30th for this report. Councilman Long suggested three weeks. After more discussion, the Mayor announced that the Council would give Mr. Yelderman a report and that it would ask the City Manager and City Attorney to look into the matter as quickly as they could.

MRS. ORLENE B. BLACK, Beacon Inn, 10 miles on the San Antonio Road, stated their lights had been disconnected Monday; everything had spoiled in their refrigerator. MR. WIGINGTON stated the delinquent account was at 1001 Willow in the name of O. B. STEINLE--MRS. BLACK. Both names on the account. There are two apartments in the house and one in the rear; one water meter and one light meter at 1001 Willow; one light meter at 98 San Marcos. The light meter is off at 1001 Willow. She rents the apartments and carries the lights and water in her name and there is a \$50.63 bill, which she refuses to pay; therefore the bill was transferred to her active account on the San Antonio Highway. Councilman Long inquired if she requested the transfer. MR. WIGINGTON stated it was not; that they were trying to collect the bill. She refused to pay the bill, so her lights were cut off. Councilman Long asked if that being a separate meter, that she would not be able to rent her apartments, wouldn't it be better to cut off the lights there rather than where she was not delinquent? Councilman Thompson inquired as to the ownership of the property on Willow. MRS. BLACK stated it was her mother's home; the meter had been there 40 years, and the meter was on the high ceiling. They had asked that the men lower it. She acquired title to the property three or four years ago. Councilman Pearson asked if she would be willing to make an agreement to pay this back bill. She told him she did not owe it. She said some renters had run the bill up, and they had had a previous bill to their account, Mr. Wigington reported this is the bill in MRS. STEINLE'S name at 1001 Willow for October through February, 1953-54. MRS. BLACK stated she married Mr. Black 12 years ago--Steinle was her maiden name. Councilman White asked if she knew this was in her name. She stated she told them never to put it in her name. Councilman Long stated that they had had a report from the City Manager that there were some businesses 90 days in arrears or slow in paying their accounts, and she was interested in knowing if they cut off their lights. The deposits were put up, and they were responsible for the

back bill, and they could have been cut off in the 60-day period. She felt that her current bill which she has paid--the lights should be turned on, and the other treated as a separate situation. Councilman Pearson asked if she didn't have a business where she lived, and what was the amount of her deposit. Mrs. Black stated \$8.50. The City Manager stated she had a bill of \$48.00 in arrears at that property, and she owes at the other. If she would agree to make some arrangements, they could take care of it, but she tells us flatly she is not going to pay it. Councilman Thompson understood her bills were paid up currently at her home place. The City Manager stated at one location, but not at the Willow location; that there was another account, which she charged off in a similar way. Councilman Long moved that the City Manager be instructed to turn on the electricity where she has up her deposits, where she is not delinquent. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White  
 Noes: Mayor McAden

\*Councilman Pearson made the following statement regarding his vote:

"That on the bill at your rental property, I feel you should make some kind of a pledge to clear it out. I will vote for your lights to be turned on there, and we will work with you to correct this other if you will work with the City."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. Eula Lear has made application in writing for permission to rent her property to be used for a rest home complying with all City and State regulations on Lot 64, Northfield Subdivision, of the Original City of Austin, Travis County, Texas, being located on the southwest corner of the intersection of Guadalupe and Nelray Streets, and located at 601 Nelray Street, which property is located in a "B" Residence District, and under Section #5, Item #6, of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of this building as a rest home at the above described address be granted to Mrs. Eula Lear.

The motion, seconded by Councilman Thompson, carried by the following vote:  
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
 Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the south side of Rosewood Avenue and west of Hargrave Street, which property fronts 150 feet on Rosewood Avenue and being out of Outlot 63, Division "B" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said Earl Chase to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and property, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Earl Chase has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"June 3, 1954

"Mr. Walter Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Earl Chase for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the south side of Rosewood Avenue and west of Hargrave Street, which property fronts 150 feet on Rosewood Avenue and being out of Outlot 63, Division "B" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Earl Chase and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

"We recommend that Earl Chase be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 --H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1294.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1294 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted  
C. G. Levander  
Director of Public Works

(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approved as a filling station site the property located at the northwest corner of Airport Boulevard and Bruning Avenue which property fronts 200 feet on Airport Boulevard and 168.2 feet on Bruning Avenue and being known as a portion of Lot 1 of the Lou H. Hill Subdivision in the City of Austin, Travis County, Texas, and hereby authorizes the said Humble Oil & Refining Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of the filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Humble Oil & Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"June 10, 1954

"Mr. Walter Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Humble Oil & Refining Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northwest corner of Airport Boulevard and Bruning Avenue, which property fronts 200 feet on Airport Boulevard and 168.2 feet on Bruning Avenue and being known as a portion of Lot 1 of the Lou H. Hill Subdivision, in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by the Humble Oil & Refining Company and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

"We recommend that the Humble Oil & Refining Company be granted permission

to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - G - 393.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - G - 393, and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,  
C. G. Levander  
Director of Public Works

(Sgd) J. C. Eckert  
J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainage easement was reserved and dedicated to the public on a map or plat of Crestview Addition Section 8, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Crestview Addition Section 8 of record in Book 6 at page 9 of the Plat Records of Travis County, Texas; and,

WHEREAS, the hereinafter described portions of such easement are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the portions of such drainage easement located on the hereinafter described tracts of land, to wit:

No. 1: The west ten (10) feet of Lot 23 of Block T of Crestview Addition Section 8;

No. 2: The west ten (10) feet of Lot 24 of Block T of Crestview Addition Section 8; and

No. 3: The east three (3) feet of the west ten (10) feet of Lot 23 of Block P of Crestview Addition Section 8.

The motion, seconded by Councilman Thompson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Lee Maners is the Contractor for the demolition of a building located at 201-221 East 8th Street and desires a portion of the sidewalk and street space abutting Lots 7, 8, 9, 10, 11 and 12, Block 85, of the Original City of Austin, Travis County, Texas, during the demolition of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Lee Maners, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in a northerly direction and at right angles to the center line of East 8th Street to a point 14 feet north of the south curb

line; thence in a westerly direction and parallel with the center line of East 8th Street approximately 276 feet to a point; thence in a southerly direction and at right angles to the center line of East 8th Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Lee Maners, hereinafter termed "Contractor", upon the following express terms and conditions;

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than November 1, 1954.

(10) That the City reserves the right to revoke at any time any and all

the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:  
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
 Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving lien on Lot 6, Block 162, Original City of Austin, in Travis County, Texas, resulting from assessment of a portion of the cost of paving of Trinity Street, in consideration of the full payment of such paving assessment against such property by Mr. F. H. West.

The motion, seconded by Councilman Thompson, carried by the following vote:  
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
 Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized to execute a general warranty deed to Ida Huber conveying 2459 square feet of land, same being out of and a part of that certain tract of land out of Lot 24, of Duval Heights, a subdivision of a portion of the James P. Wallace Survey in the

City of Austin, Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH HIGHLAND PARK WEST DEVELOPMENT COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH GRAY & BECKER, INC.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The

motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

With reference to the specification of audits, (SPECIFICATIONS FOR AUDIT OF THE CITY OF AUSTIN, TEXAS, FOR THE CALENDAR YEAR 1951) Councilman Pearson thought the specifications should be modified in an effort to save the people of Austin some money, that he felt the audit covered some items that were not necessary. He felt that to have auditors check item by item on the warehouse and inventories, that that was out of the scope of an auditor; and that there were some other things included in the specifications that were of no value to the property owner. He suggested cutting expenses as much as possible. Councilman White could not agree on the modification of the specifications, as he felt the City ought to have one all the way through. Councilman Long felt that since this type of audit had been followed, that the Council was getting a true picture of the City's business; that the City Manager had complimented this type of audit; and before they had only a skeleton audit which did not tell anything. Councilman Pearson believed the audit was costing in excess of which it should cost the taxpayers, and he wanted to get a complete audit, but one where the auditors operated within the scope of what they were qualified to do. If a business consultant were needed, then he should be employed as a separate deal. He was pleased with the recommendation turned in, but he felt the City was getting more than it needed. Councilman White thought we needed that complete audit. The City Manager recommended that the present auditors be employed as they were familiar with the entire set up, and the time was short. Councilman Pearson stated he was not dissatisfied with MR. WADE'S services, but he felt it covered too broad a scope and get out of an auditor's field. The City Manager stated this firm had been a wonderful firm to work with. Councilman White moved that MR. WADE be employed for \$8,500 for this audit as outlined in his letter of June 1st. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Pearson moved that the following be reappointed to the Library Commission and that MRS. W. E. SHALLENE be appointed to fill the vacancy of MR. CHRYS DAUGHERTY resigned:

MRS. A. W. HARRIS  
MRS. BEN POWELL, JR.  
MRS. L. C. PROCTER  
MR. F. W. STERNENBERG  
MR. BILL WEEG  
MR. O. DOUGLAS WEEKS

MRS. CLAUDE HILL  
MRS. JOHN BROAD  
MRS. ESTHER HUFFLER  
MR. EDMUNDS TRAVIS  
MISS HELEN HARGRAVE  
MRS. RALPH HANNA  
DR. C. E. CASTANEDA

The motion, seconded by Councilman Long, carried by the following vote:  
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
 Noes: None

The City Manager presented the following:

"June 9, 1954

"Memorandum To: Walter E. Seaholm, City Manager  
 Memorandum From: Albert R. Davis, Superintendent, Water Department  
 Subject: 24" Water Main - 38th Street

"Proposals for the construction of a 24" water main in 38th St. from Guadalupe to Red River St. were received by the Water Department until 10 o'clock, June 8th., and then publicly opened and read.

"The following proposals were received:

	<u>Cast Iron</u>	<u>Steel Cylinder Concrete</u>
Austin Engineering Company	\$ 115,965.74	\$ 89,749.34
Karl B. Wagner Engineering Construction	N.B.	93,850.63
Stevens Construction Company	N.B.	94,367.04
Joe Bland Construction Company	N.B.	96,132.40
H. B. Zachry Company	138,527.53	107,283.40
Pelphrey-Basham Inc.	N.B.	115,184.70

"The above proposals have been checked and analyzed, and found to be correct, and in accordance with our specifications.

"The Water Department estimate on this was \$113,000.00 for cast iron, and \$96,000.00 for steel cylinder concrete pipe.

"It is my recommendation that this contract be awarded to the Austin Engineering Company as the lowest and best bid received.

"Albert R. Davis,  
 Superintendent,  
 Water Department

WCS mjm

Approved:  
 (Sgd) WES  
 Walter E. Seaholm, City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 8, 1954, for the construction of a 24 inch water main in 38th Street from Guadalupe Street to Red River Street; and,

WHEREAS, the bid of the Austin Engineering Company in the sum of \$89,749.34 was the lowest and best bid therefor, and the acceptance of such bid had been recommended by the Superintendent of the Water Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of the Austin Engineering Company in the sum of \$89,749.34 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with the Austin Engineering Company.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager presented the following:

"June 7, 1954

"Memo to: Mr. W. E. Seaholm, City Manager  
From : D. C. Kinney, Superintendent Electric Division

"Bids were opened at 10:00 A.M., June 2, 1954, for eight network transformers and are tabulated as follows:

Supplier	8 Network Trans.	Price Firm	Terms	Delivery
Priester Supply Company	\$ 47,768.00	Firm with Downward Escal.	Net 30 Days	11 Weeks FOB Austin
Westinghouse Elec. Corp.	47,768.00	"	Net 30 Days	11 Weeks FOB Factory
Allis-Chalmers Mfg. Co.	47,768.00	"	Net 30 Days	6 Weeks FOB Factory
Southern Electric Supply	47,768.00	"	Net 30 Days	6 Weeks FOB Austin
General Electric Company	No Bid			
Graybar Electric Company	No Bid			

"These bids were taken based upon an estimated delivery of 4 months and included the transformers necessary for the planned construction until January 1955. Inasmuch as all bids were received on a firm basis it would be to the City's advantage to purchase at this time the estimated requirements for the entire fiscal year 1954-55 or a total of 15 transformers. Since all prices are the same there is further advantage in placing the business among three manufacturers in order to be better able to secure deliveries when needed.

"Accordingly, I recommend that:

1. 15 transformers be purchased at this time.
2. That the purchase be divided evenly and buying five (5) transformers each from three suppliers, Southern Electric Supply (Allis-Chalmers), Priester Supply Company (Moloney), and Westinghouse Electric Corporation (Westinghouse) at a unit price of \$5,971.00 each.

3. That contracts be entered into with these firms for the delivery of these transformers as scheduled by the City of Austin.

"(Sgd) D. C. Kinney  
D. C. Kinney, Superintendent  
Electric Division

Approved:  
(Sgd) WES  
W. E. Seaholm  
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 2, 1954, sealed bids were received by the City of Austin for eight network transformers; and

WHEREAS, all bids were identical in the sum of \$47,786.00, and were identical in the price of \$5,971.00 per transformer unit, said prices being firm but with advantage to the City in the event of price drops; and

WHEREAS, the estimated requirements of the City for the entire fiscal year 1954-55 is 15 transformer units, and it has been recommended by the Superintendent of the Electric Division of the City of Austin and by the City Manager that the purchasing of said transformers be divided by buying five (5) transformers from Southern Electric Supply, five (5) transformers from Priester Supply Company, and five (5) transformers from Westinghouse Electric Corporation at a unit price of \$5,971.00 per transformer; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Bids of Southern Electric Supply, Priester Supply Company and Westinghouse Electric Corporation are hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute contracts on behalf of the City of Austin with Southern Electric Supply for five (5) said transformers at a unit price of \$5,971.00; with Priester Supply Company for five (5) said transformers at a unit price of \$5,971.00; and with Westinghouse Electric Corporation for five (5) said transformers at a unit price of \$5,971.00.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden  
Noes: Councilman Long

Councilman Long voting against the motion, because of the monopoly; Councilman Pearson voting for it because he believed the Council was proceeding with every effort to break it if we do have a monopoly, and he believed it was up to the Legal Department to determine. The City Manager called attention to the fact that General Electric did not bid.

Councilman Long moved that the Council refer the file (regarding bids of 8 Network Transformers at \$47,768.00) to the Attorney General, along with all others. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
 Noes: None

The City Manager presented the following:

CITY OF AUSTIN

SEALED BIDS ON COPPER WIRE (Totals)

Opened 2:00 P.M. June 4, 1954

Quan.	Description	Graybar Elec. Co. Total	Priester Supply Total	Sou. Elec. Supply Total	Southern Electrical Corp. Total
50,000#	Copper Weld	\$20,582.50	\$20,582.50	\$20,407.50	N.B.
145,000#	Line wire, Polyethelene	70,262.50	70,262.50	70,167.50	* \$63,458.50
55,000#	Bare copper wire	21,866.50	21,866.50	21,866.50	21,937.50
	Terms	½ of 1%	½ of 1%	½ of 1%	½ of 1%
	Manufacturer	Anaconda	Anaconda	Phelps-Dodge	Southern
	Price Firm?	Yes, for 90 days	Yes, for 90 days	No-price in effect at shipment	Yes - downward escalation

\*Not to Specifications

U. S. Rubber	Westinghouse Elec. Supply	G. E. Supply Co.	Graybar Elec. Co.	General Cable Co.
Total	Total	Total	Total	Total
N. B.	\$20,582.50	\$20,377.50	\$20,377.50	\$20,377.50
\$69,007.50	N. B.	69,829.50	69,829.50	69,829.50
N. B.	<u>21,794.50</u>	21,866.50	21,866.50	21,866.50
½ of 1%	½ of 1%	½ of 1%	½ of 1%	½ of 1%

U. S. Rubber	Not Stated	General Cable	General Cable	General Cable
Yes	No-price in effect at shipment	Yes, for 30 days acceptance	Yes, downward escalation	Yes

(Sgd) O. G. Brush  
 Purchasing Agent

Approved:  
 (Sgd) WES  
 W. E. Seaholm  
 City Manager"

Recommendations for awards:

- Graybar Electric Company - Copper weld, lowest and best bid
- Graybar Electric Company - Bare wire, best Bid.
- The Westinghouse Electric Co. bid not firm.
- Polyethelene covered wire, lowest and best bid.
- U. S. Rubber Co.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 4, 1954, bids were received by the City of Austin for the furnishing of copper wire; and,

WHEREAS, the bid of Graybar Electric Company in the sum of \$20,377.50 was the lowest and best bid for the furnishing of copper weld wire; and,

WHEREAS, the bid of Graybar Electric Company in the sum of \$21,794.50 was the lowest and best bid for the furnishing of bare copper wire; and,

WHEREAS, the bid of U. S. Rubber Company in the sum of \$69,007.50 was the lowest and best bid for the furnishing of polyethelene covered wire; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bids of Graybar Electric Company and U. S. Rubber Company be and the same are hereby accepted, and W. E. Seaholm, City Manager, be and he is hereby authorized and directed to enter into contracts with said parties.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The City Manager submitted the request of the DeLuxe Cab Company to change the color scheme of their cabs, the top to be liveoak green, and the other to be seafoam green. Councilman White moved that the Council approve the color scheme as requested, if there have been no objections. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Thompson asked if the City had any control over the highway department as to the repair of the streets in the City as to the time when they did the repair work; in that the Highway Department was resurfacing Lamar and at 5:30 they had their big equipment concentrated at the railroad track and had a big traffic jam. He asked if they could not schedule their work some other time than the busiest hours of the day. The City Manager stated usually the Highway Department was very conscious of the traffic.

The City Manager made a report on the Airport recommendation in that a former C. A. A. Official was doing some study, determining values, which the Advisory Board did not have. After the information is obtained, he would study it and have the Advisory Board review it, and have a more detailed report.

The City Manager presented the following:

BIDS ON STERILIZING EQUIPMENT

QUANTITY	ITEM	OHIO CHEMICAL		WILMOT CASTLE		A.S. ALOE CO.		AMERICAN STERILIZER CO.	
		Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
2	Water Still, 10 gal. per hr.	552.50	1105.00	573.30	1146.60	573.30	1146.60	552.50	1105.00
3	Blanket & Solution Warmer	454.75	1364.25	454.75	1364.25	454.75	1364.25	454.75	1364.25
2	Electromatic Control	No bid		780.00	1560.00	780.00	1560.00	455.00	910.00
2	Recording Thermometers	No bid		132.00	264.00	132.00	264.00	170.00	340.00
2	High-speed instrument sterilizer	1096.50	2193.00	1147.50	2295.00	1147.50	2295.00	1096.50	2193.00
1	Cystoscopic Water sterilizer	1182.35	1182.35	1233.35	1233.35	1233.35	1233.35	1182.35	1182.35
1	Formula Sterilizer 24 x 24 x 36"	4114.85	4114.85	4499.90	4499.90	4499.90	4499.90	4448.90	4448.90
1	Hot Air Sterilizer 37 x 19 x 25"	1145.00	1145.00	973.25	973.25	973.25	973.25	973.25	973.25
2	Stainless steel panels for present 30 x 48 1/4 sterilizers	No bid		100.00	200.00	100.00	200.00	155.00	310.00

BIDS ON STERILIZING EQUIPMENT - CONTINUED

OHIO CHEMICAL      WILMOT CASTLE      A.S. ALOE CO.      AMERICAN STERILIZER CO.

(Incomplete)

TOTAL COST OF EQUIPMENT      \$11,104.45      \$ 13,536.35      \$ 13,535.45      \$ 12,826.75

Cash Discount      None      None      None      None

Is adequate service dept. maintained?      Yes      Yes      Yes      Yes

Location of service dept.      Houston      Dallas      Dallas      Dallas

Days & hours of availability of service      8 A.M. - 4 P.M. Mon. - Fri.      24 hrs. 7 days/wk      24 hrs. 7 days/wk      24 hrs. 7 days/wk.

"Mr. Walter E. Seaholm  
City Manager  
City of Austin

"The bidder was requested to bid on purchase price and complete installation. We should not have requested bids on installation as that work is provided for in the specifications and will be done by C. Wallace Plumbing Company. It will therefore be necessary to reject the bid by American Sterilizer Company for installation. No other bidder included installation in its bid.

"Regarding the awarding of the contract, the following recommendations are made:

"(1 That Ohio Chemical's bid be rejected because their repair service is available from 8:00 A.M. to 4:00 P.M., Monday through Friday only.

"(2 That the total contract be awarded to the American Sterilizer Company for the following reasons:

(a. The total of this company's bid on equipment is considerably lower (about \$700) than Wilmot Castle & A. S. Aloe.

(b. About 85% of our present sterilizing equipment was made by the American Sterilizer Company.

(c. During the past years, this company has provided excellent repair and maintenance service.

"Although this equipment will not be needed for several months, the contract should be awarded now, in order that "roughing in" drawings may be obtained.

"Sincerely yours,  
(Sgd) T. W. Fourgurean  
Administrator

TWF:ek"

Discussion of the bids for sterilization equipment was held. Councilman Long noted several companies bidding, and that if the lowest bid had been accepted there would be a savings of \$2,500. The City Manager stated it was preferred to have all the same make of equipment, and the American Sterilizer Co. had their service organization to take care of anything that might go wrong. It means less parts when the same make of equipment is obtained. Item by item there was \$514 difference; the other company has no service here and operates an eight-hour day, five day week. Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 1, 1954, on sterilization equipment for remodeling and additions to Brackenridge Hospital; and,

WHEREAS, the bid of the American Sterilizer Company in the sum of \$12,826.75 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Administrator of Brackenridge Hospital in the City of Austin, and by the City Manager; Now, Therefore,

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of the American Sterilizer Company in the sum of \$12,826.75 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with the American Sterilizer Company.

The motion, seconded by Councilman White, carried by the following vote:  
 Ayes: Councilmen Long\*, Pearson, Thompson, White, Mayor McAden  
 Noes: None

\*Councilman Long made the following statement regarding her vote:

"I hate to take bids and get low bids and disregard them."

Councilman White inquired if these people could be notified that their bid would not be accepted before they bid on it? The City Manager stated if they had been low on all the rest, he would have recommended the other company.

The City Manager presented the following:

"June 9, 1954

## "MEMORANDUM

TO: W. E. SEAHOLM, CITY MANAGER  
 FROM: MARY RICE, CITY LIBRARIAN  
 SUBJECT: FOURTH FLOOR STACK ROOM SHELVING - PUBLIC LIBRARY

"The following bids were received:

Remington-Rand	\$10,365.75
Charles E. Musick	11,720.00
Art Metal	10,300.00

"While Art Metal is low by \$65.00, (.63%), after checking the bids for the proposed addition of the fourth floor stack room of the Library, I am recommending that the contract be awarded to Remington-Rand for the following reasons:

"1. Remington Rand shelves and end brackets are so constructed that 1/4" in width is added to each shelf. There are 672 shelves involved which adds 168" of shelving, or the equivalent of 4.8 shelves. 4.8 divided by 672 shelves would amount to a reduction of 0.71% in their bid. According to the tabulation of bids, Art Metal's total was 0.63% lower than Remington Rand's. However, taking into account the increased storage capacity of Remington Rand's bid, their bid would be 0.08% lower than Art Metal's bid, or actually \$13.44 under the bid submitted by Art Metal.

"2. Remington Rand is the only firm that has had their Regional Library Specialist come in and check the job.

"3. Remington Rand has local representatives to supervise the construction and supervision of this job.

"4. All previous installations of multi-tier stack have been made by

Remington Rand and have proved most satisfactory. Having this last installation by the same firm would assure us of interchanging and intermembering all library stack in the event of any shifting and changing of book shelves in the future.

"MARY RICE, Librarian

APPROVED:

(Sgd) WES  
City Manager"

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on May 25, 1954, the City of Austin received bids for fourth floor stack room shelving to be installed in the Public Library; and,

WHEREAS, an evaluation of the bids received for such equipment shows the bid of Remington-Rand in the amount of \$10,365.75 to be the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Librarian of the Public Library of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Remington-Rand in the sum of \$10,365.75 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Remington-Rand.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Council received the following communication from the Police Department which was signed by 150 employees of the department:

"June 5, 1954

"HONORABLE C. A. McADEN, MAYOR, CITY OF AUSTIN.

"In response to your memorandum of June 3, 1954, we the undersigned employees of the police department wish to express our confidence in you and all other members of the Council and in the City Manager, Mr. Walter E. Seaholm.

"We realize the problem that the city government is having at this time in meeting the many needs of our fast growing city. We know that you understand our needs and the needs of all departments and we are confident that you will attempt to meet these needs as soon as possible."

The Mayor read his memorandum of June 3, 1954 recorded in the Minutes of June 3, 1954.

Councilman Thompson asked if the Council should not decide whether or not it was going to hire these firms for the setting up the accounting procedures and administrative procedures. He stated the recommendation was that the people

be hired to come in and actually set up administrative procedures and set up a manual of accounting procedures. Councilman Long suggested asking the City Manager to get each department to get up its own manual of procedure and present it; then the Council would know just what it wanted. The City Manager stated there were overlapping propositions--procedures from one department to another. He thought it would be of help to get someone to study it and work it all out. After more discussion, the City Manager stated he would submit a list of suggestions, and some specific things he would like to have considered. Councilman Thompson stated MR. WADE was in a good position to help set up some outlines to submit to the companies for estimates. Councilman Long suggested that the information be obtained from the department heads through the City Manager, and the Council could evaluate it and know what it wanted the experts to give it. After more discussion, the Council deferred action until the following week.

Councilman Pearson inquired about the Committee on the Auditorium. The City Manager reported a meeting with the Architects, and they felt that in view of the request of the Council that they make trips, and that they would furnish all the clerks-of-the-works, which ordinarily the owner would have to pay for it, they wanted to make their fee a 6% fee. Ordinarily it would be a 5% and since the Council had authorized him to sign a contract with the Architects, he wanted to report that 6% deal back to the Council. This extra 1% means about \$17,000. After more discussion, the matter was deferred a week. Councilman Long asked that copies of the contract be sent out to the Council.

Councilman Long stated the new water plant was nearing completion and should be finished on the 15th of this month. Councilman Long moved that the Citizens of Austin be given a 10% discount on their water rates from July 1st through September 1st. The motion, seconded by Councilman White. Councilman Long stated if it appeared there would be difficulty, the city could resort to watering on one side of the street at a time. Councilman Thompson inquired as to the effect on the revenue of the City. The City Manager stated it would reduce the income, because more water would not be sold. Councilman White believed it would, as he personally would probably wind up paying more for his water, because he would use more. The City Manager stated that assuming that the rates would increase the amount of water sold, it would create a strain on the distribution system which they were not prepared for. He asked if the plant could put it out. Then he was concerned on the distribution system, in trying to encourage more use when there was a maximum condition. He stated they could take care of all requirements for domestic use. The other day they had 42 million gallons, which was the irrigating load, and those using the water primarily for irrigation would be helped; not those depending on water for drinking purposes, bathing, etc. The past method was not a flat 10% discount but after a certain figure had been reached. Councilman Long stated the City Manager had been promising for 2½ years when the waterplant was completed that a summer water rate would be put in; and he had been unwilling to try to use the method whereby other cities had used the alternate watering plan and had come out with satisfactory results, even when they had emergencies existing. Watering the yards was almost as important as trying to get drinking water, if the city is to be kept beautiful and healthy. The matter of bringing in a certain amount of revenue was something the City Manager was interested in; and if that were given a test, she thought it would prove that people would use more that he had set up in his budget as an estimate of income to be received. She believed the way this was put into effect in the past would please the

citizens and would be accepted. The City Manager read the ordinance that governed before, covering a reduction of 10% of the gross amounts above \$1.00 up to \$3.00; \$3.01 to \$6.00 20%; above \$6.00 25%. Councilman Long stated she would accept that ordinance as it was set up and include it in her motion. Councilman Pearson asked that the matter be deferred for a week. Councilman Thompson wanted to see figures, and he did not want to vote on anything based on assumption and surmises. The Mayor asked if this were deferred until next week could it be put into effect on July 1st. The City Manager stated it could. He would get some figures on what he thought would be the import of the revenue, based on the thinking this morning, to be effective July 1st. Councilman Long withdrew her motion, until next week.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Planning Commission:

D. C. CLARKE, C. E. PEARSON, ET AL	8400-8500-8600 Blocks Burnet Road	From "A" 1st Hgt & Area To "C" 6th Hgt & Area
MR. EDWARD JOSEPH	Fruth St. N. of West 34th Street	From "B-1" To "C-1"
MRS. WILHELMINE B. SHEFFIELD	500-504 West 34th Street	From "B-1" To "C-1"

The Council received an invitation from the Chief of Police to attend the Annual Inventory and Highway-Rail Intersection Programs, National Safety Council, 10:00 A.M., Friday, June 11th.

There being no further business, the Council adjourned at 12:40 P.M., subject to the call of the Mayor.

APPROVED: \_\_\_\_\_

*Chas. M. Eddy*  
Mayor

ATTEST:

*Elsie Hoosley*  
\_\_\_\_\_  
City Clerk